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such possibilities there are several kinds; of which two are usually denoted by the term now under consideration: (1) the possibility that a common law fee may return to the grantor by a breach of a condition subject to which it was granted, and (2) the possibility that a common law fee, other than a fee simple, may revert to the grantor by the natural determination of the fee." CHALLIS, *REAL PROPERTY*, *63.

As to the merits of the argument, we think our author has his English critics considerably at disadvantage, because they are quite easily inclined to admit the correctness of his position that reversionary rights are incidents of tenure, and cannot exist without it; and on this hypothesis is built the whole superstructure of his argument. But in this country, where tenures are quite generally abolished and reversionary rights continue, some find it more difficult to accept his premises, and therefore think his conclusion does not follow. "The doctrine of reversions is said by Sir William Blackstone to have been plainly derived from the feudal constitution. It would have been more correct to have said that some of the incidents attached to a reversion were of feudal growth, such as fealty and the varying rule of descent between the cases of a reversion arising out of the original estate and one limited by the grant of a third person. Reversion, in the general sense, as being a return of the estate to the original owner, after the limited estate carved out of it had determined, must be familiar to the laws of all nations, who have admitted of private property in land." 4 KENT, *COMMENTARIES*, *353-4. Whether the land returns to the grantor by entry for breach of condition subsequent or by the expiration of a determinable fee, he is equally in of his former estate; and this has always been the understanding of all courts and law-writers, both English and American. The grantor retains in himself whatever he does not pass to his grantee; and it would seem that a possibility of reverter after a determinable fee could not be more obnoxious to the rule against perpetuities than a possibility of reverter reserved to have effect if a condition subsequent named in the grant is broken.

Further on, Professor Gray asserts that neither possibilities of reverter after determinable fees nor on condition subsequent should be sustained if they might come into operation later than the time allowed by the rule against perpetuities, arguing that although the persons owning the right could release it at any time, it is often very difficult to find all the many heirs that may exist after a few generations in a country where primogeniture does not exist but lands descend to all issue equally. (§ 304) The same difficulty is experienced where the heirs have the title absolute and where mineral or other rights are reserved, as to which no one claims that the rule against perpetuities could operate.

J. R. R.

SUPPLEMENT TO SNYDER'S INTERSTATE COMMERCE ACT AND FEDERAL ANTI-TRUST LAWS. By William L. Snyder. New York: Baker, Voorhis and Company, 1906, pp. xl, 178.

In July, 1904, Mr. Snyder, a member of the New York bar, published a work upon various federal acts pertaining to interstate commerce. (Reviewed in 3 MICHIGAN LAW REVIEW, p. 683.) Since that time a large number of judi-

cial decisions have been rendered, and these, together with the legislation of the Fifty-Ninth Congress, first session, have called forth the present supplementary volume. The scope of the work may be briefly indicated. In the Introduction the recent legislation bearing upon interstate commerce is reviewed, the description of its principal features being accompanied by occasional observations and explanations of considerable interest. Aside from the Introduction, about two-fifths of the book is devoted to the texts of the Amended Interstate Commerce Act, the Employers' Liability Act, the Pure Food and Meat Inspection Acts, and the Jewelers' Liability Act. The reprint of the Interstate Commerce Act has one advantage over other copies of the law, in that the typographical arrangement is such that the new provisions and the amendments may be readily detected. The balance of the book consists of brief notes of cases, involving questions of interstate commerce, decided by the federal courts between July, 1904, and August, 1906. The leading principles laid down in each case are given, and now and then some comment is offered, but the fragmentary and somewhat superficial character of this comment is a disappointment. Generally speaking, although the principles themselves are well stated, there is but little effort made to determine their place in the body of the law, or to estimate their significance in the historical development of the law of interstate commerce. Nevertheless the book will doubtless prove of value as an occasional work of reference for the practicing lawyer, and also for the student of those economic problems which are concerned with interstate commerce.

H. S. S.

REPORT OF THE COMMITTEE APPOINTED AT THE CONFERENCE OF COUNSEL FOR RAILROAD COMPANIES IN LOUISVILLE, KENTUCKY, SEPTEMBER 26-27, 1906; on the Questions Arising Under the Act of Congress Known as the Employers' Liability Act, approved June 11, 1906. With appendices containing reports of the cases of *N. C. Brooks, Administratrix v. The Southern Pacific Company* and *Damselle Howard, Administratrix v. Illinois Central Railroad Company et al.*; and the text of the Employers' Liability Act. By Henry L. Stone, Chairman of the Committee and General Counsel, Louisville & Nashville R. R. Co.; George F. Brownell, Vice President and General Solicitor, Erie R. R. Co.; Robert J. Carey, General Counsel, Chicago, Indiana & Southern R. R. Co.; Alex. G. Cochran, Vice President and General Solicitor, Missouri Pacific Ry. Co., and St. Louis, Iron Mountain & Southern Ry. Co.; J. M. Dickinson, General Counsel, Illinois Central R. R. Co.; James P. Helm, General Counsel, Louisville, Henderson & St. Louis Ry. Co., and Alex. P. Humphrey, General Counsel, Southern Ry. Co., pp. 152.

This publication is interesting, and in several particulars quite unique. On the whole, the attitude of the railroads toward legislation affecting their duties and liabilities has been one of hostility, and usually there has been both an attempt in advance to prevent the passage of the legislation and an active contest in the courts afterward to have it declared unconstitutional, if pos-